

From: [Kira Kelley](#)
To: [Enslin, Sharda](#)
Cc: [Karmen McQuitty](#); [Robertson, Heather \(she/her/hers\)](#); [Sarff, Kristin](#); [Claire Glenn](#)
Subject: Re: [EXTERNAL] Re: Settlement Proposal
Date: Monday, December 2, 2024 4:07:38 PM
Attachments: [Notice of Deposition Ohama.pdf](#)
[Notice of Deposition Barnette.pdf](#)
[Notice of Deposition Frey.pdf](#)
[plaintiffs first discovery requests.pdf](#)
[Notice of Deposition Velazquez.pdf](#)
[Notice of Deposition Gomez.pdf](#)
[Notice of Deposition O'Hara.pdf](#)
[Notice of Deposition Haugland.pdf](#)

Hi Sharda,

Ah, it appears that we have a misunderstanding. Happens to the best of us! We will file a motion asking for the judge to extend the factual discovery deadline until early January in light of the delayed responses, and we'll note your objection in our meet and confer statement.

In the meantime, so that you have these as soon as possible while that issue gets decided by the Court, please find the attached requests and notices.

Best,

Kira

Kira Kelley (they/she)
Staff Attorney
Climate Defense Project
climatedefenseproject.org

On Mon, Dec 2, 2024 at 7:44 AM Enslin, Sharda <sharda.enslin@minneapolismn.gov> wrote:

Hi Kira,

Good news! Our designee has had a schedule change and is now available on December 10 to sit for the 30(b)(6) deposition. So no need for an extension.

I will say I was a bit confused about the “buffer” period you kept referencing. I originally assumed you wanted a buffer period to accommodate possible scheduling issues with the 30(b)(6) deposition, but your last email suggested that perhaps you were you talking about creating a new discovery deadline for you to serve written discovery? As I’m sure you’re aware, the deadline to serve written discovery requests has passed and just to clarify, we’re not interested in stipulating to extending it.

Exhibit N

I do feel as though you and I have had several conversations generally about settlement, and our relay to you has always been that it would be next to impossible for the City to enter into any settlement that proposed specific actions/ordinance changes/land transfers/etc. given that the same or similar issues are actively under engagement by the current administration.

At your earliest convenience, please send a depo notice for Dec. 10 with the time and location so that I can update my witness.

Many thanks,

Sharda

From: Kira Kelley <kira@climatedefenseproject.org>
Sent: Friday, November 29, 2024 8:54 AM
To: Enslin, Sharda <sharda.enslin@minneapolismn.gov>
Cc: Karmen McQuitty <karmen@peopleslawmn.com>; Robertson, Heather (she/her/hers) <Heather.Robertson@minneapolismn.gov>; Sarff, Kristin <Kristin.Sarff@minneapolismn.gov>; Claire Glenn <claire@climatedefenseproject.org>
Subject: Re: [EXTERNAL] Re: Settlement Proposal

Hi Sharda,

Given that we're still waiting on a response from you regarding the settlement offer set in September and had intended to give you all a good faith chance to settle before serving interrogatories, RFAs, and other depo notices, and that this deposition has taken more than two months to schedule, a one-month stipulated extension (to Jan 15) seems appropriate and would give us some buffer in case the City representative has a conflict that comes up. If the judge doesn't approve our stipulation, we can always make adjustments from there.

Best,

Kira

Kira Kelley (they/she)
Staff Attorney
Climate Defense Project
climatedefenseproject.org

On Wed, Nov 27, 2024 at 1:49 PM Enslin, Sharda <sharda.enslin@minneapolismn.gov> wrote:

Why don't we stipulate to extending the discovery completion period to Dec. 22? That gives us an additional week from the current deadline and should be plenty of time if we can schedule the depo for the 17th or 18th. Leung won't be inclined to extend the discovery period without good cause, so I can write up a joint stip with an explanation that the need for the extension is based on the deponent's limited availability. Let me know if that works. Thanks!

From: Kira Kelley <kira@climatedefenseproject.org>
Sent: Wednesday, November 27, 2024 11:09 AM
To: Enslin, Sharda <sharda.enslin@minneapolismn.gov>
Cc: Karmen McQuitty <karmen@peopleslawmn.com>; Robertson, Heather (she/her/hers) <Heather.Robertson@minneapolismn.gov>; Sarff, Kristin <Kristin.Sarff@minneapolismn.gov>; Claire Glenn <claire@climatedefenseproject.org>
Subject: Re: [EXTERNAL] Re: Settlement Proposal

Hi Sharda,

Would you be willing to stipulate to an extension of the December 15th fact deadline by a few weeks just to give us all a buffer? We could schedule the evidentiary depo on the 17th or 18th if so.

Best,

Kira

On Wed, Nov 27, 2024, 6:33 AM Enslin, Sharda <sharda.enslin@minneapolisismn.gov> wrote:

Hi Kira – turns out that while I’m available the week of Dec. 9, our deponent is not. However, both he and I are available on Dec. 17th or 18th. Would either of those dates work for you? Technically this falls a couple days outside of our discovery period, but given that the parties have been planning on conducting this deposition for a while now, if we’re both in agreement and it’s the only date that works for the witness, I think it’s fine.

From: Kira Kelley <kira@climatedefenseproject.org>
Sent: Tuesday, November 26, 2024 10:21 AM
To: Enslin, Sharda <sharda.enslin@minneapolisismn.gov>
Cc: Karmen McQuitty <karmen@peopleslawmn.com>; Robertson, Heather (she/her/hers) <Heather.Robertson@minneapolisismn.gov>; Sarff, Kristin <Kristin.Sarff@minneapolisismn.gov>; Claire Glenn <claire@climatedefenseproject.org>
Subject: Re: [EXTERNAL] Re: Settlement Proposal

Hi Sharda,

I sent it to you on September 13, with the changes we'd discussed in our phone call. Let me know if you can't find that thread and I will bump it in your inbox! I'll re-attach the updated list here as well for your convenience.

The week of Dec 9th is pretty open for me, I'll confer with my cocounsel. Did you have any specific days/times in mind?

Best,

Kira

Kira Kelley (they/she)
Staff Attorney
Climate Defense Project
climatedefenseproject.org

On Mon, Nov 25, 2024 at 7:18 AM Enslin, Sharda
<sharda.enslin@minneapolismn.gov> wrote:

Hi Kira, did you ever send me an updated list of topics? What is your availability the week of December 9th?

From: Kira Kelley <kira@climatedefenseproject.org>
Sent: Thursday, November 21, 2024 5:18 PM
To: Enslin, Sharda <sharda.enslin@minneapolismn.gov>; Karmen McQuitty <karmen@peopleslawmn.com>; Robertson, Heather (she/her/hers) <Heather.Robertson@minneapolismn.gov>; Sarff, Kristin <Kristin.Sarff@minneapolismn.gov>; Claire Glenn <claire@climatedefenseproject.org>
Subject: [EXTERNAL] Re: Settlement Proposal

Hi Sharda,

Just wanted to follow up on this, and to check in on when the City would be available for a deposition.

Hope you are well!

Kira

Kira Kelley (they/she)
Staff Attorney
Climate Defense Project
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